PROCEE	DINGS	OF	THE	COM	MON	COUNCIL
IN	REGUI	AR				SESSION
TUESDA	AY,		AUG	UST	28	1984

CITY OF FORT WAYNE, INDIANA JOURNAL OF THE PROCEEDINGS OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING August 28 A.D., 19 84,
IN Regular SESSION. PRESIDENT Ben A. Eisbart
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine , AND
Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING
MEMBERSVIZ:
β BRADBURY β , BURNS β , EISBART β
GiaQUINTA \mathcal{P} , HENRY \mathcal{P} , REDD \mathcal{P}
SCHMIDT , STIER , TALARICO
ABSENT:
COUNCILMAN:,,
THE INVOCATION WAS GIVEN BY
THE MINUTES OF THE LAST REGULAR August 14 , 19 84
SPECIAL, 19
SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPRO

AND PUBLISHED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and
incumbent City Clerk of Fort Wayne, Indiana and as such the custodian
of the records of the Common Council of said City and that the above
and foregoing is the true, full and complete record of the proceedings
of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on
the
that the numbered ordinances and resolutions shown therein were duly
adopted by said Common Council on said date and were presented by me
to the Mayor of the City of Fort Wayne and were signed and approved
or disapproved by said Mayor as and on the dates shown as to each
such ordinance and resolution respectively; and that all such
records, proceedings, ordinances, and resolutions remain on file and
record in my office.
WITNESS my hand and the official seal of the City of Fort
Wayne, Indiana, this 29th day of Gugush, 19 24,

Sandra G. Hennedy/w SANDRA E. KENNEDY, CITY CLERK



The City of Fort Wayne DIVISION OF LAND USE MANAGEMENT

Department of Community Development & Planning

13 August 1984

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the City of Fort Wayne City-County Building One Main Street Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-84-07-09

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this 13th day of August 1984.

Melvin O. Smith



FACT SHEET

Z-84-07-09

BILL NUMBER

Council Sub.

Do not pas

Division of Community Development & Planning

BRIEF TITLE APPROV	AL DEADLINE REASON	
Zoning Ordinance Amendment N	one	
	POSITIONS	RECOMMENDATIONS
Specific Location and/or Address 2324 Hobson Road	Sponsor	City Plan Commission
	Area Affected	City Wide
Reason for Project		
Beauty Salon		Other Areas
	Applicants/ Proponents	Applicant(s) BMRC, Inc. City Department Other
Discussion (Including relationship to other Coundames Federhoff, Attorney for the perbands and the principals in a company known as	titioner Lombard the	Groups or Individuals None Basis of Opposition
Hair Care Center wished to construct beauty salon on this location. He so that the property is in a rundown contained and has been for 2 years. He had less support or no opposition from the accordance of the support of the second property owners as well as neighborh residents. He stated they are willing covenant the property against any usuallowed in a B-1-A except those relationship.	tated andition atters of ligacent mood ng to ses	For Against Reason Against
hair care. Mr. Lombard, petitioner, stated they to construct a 1-story pitch roof but to blend in with the residential character of the area. He state they would but property with a 6 foot high stockade that would surround the entire property and surround the entire property with a surround the entire property and surround the entire property with a surround the entire property and surround the entire property with a surround the entire property with a surround the entire property and surround the entire property with a surroun	r intend rilding racter refer the efence erty that as estated	By The Against Against No Action Taken See Details column for condition (See Details column for condition)
There was no one in opposition or to in favor of the rezoning request.	CITY COUNCE ACTIONS (For Council	Pass Other Pass Hold amended)

use only)

Business Meeting - July 23, 1984

The Plan Commission Site Committee recommended denial stating that they felt it was spot zoning and recommending a new zoning district be created for fringe neighborhood commercial areas.

The motion to deny failed for a lack of a majority vote.

Following discussion a motion was made to approve the request with the condition that a restrictive covenant be placed on the property allowing only the following uses in the B-1-A:

- 1. Office
- 2. Beauty Parlor
- 3. Barber Shop
- 4. Cosmetics Store; and/or
- 5. Uses accessory to the above.

Motion carried.

The covenant has been submitted and approved by the City Attorney.

Policy or Program Change	No No	Yes	
Operational Impact Assessment			

(This space for further discussion)

Project Start

Date June 19, 1984

Projected Completion or Occupancy

Date August 13, 1984

Fact Sheet Prepared by Pat Biancaniello

Reviewed by

Date Dute Date

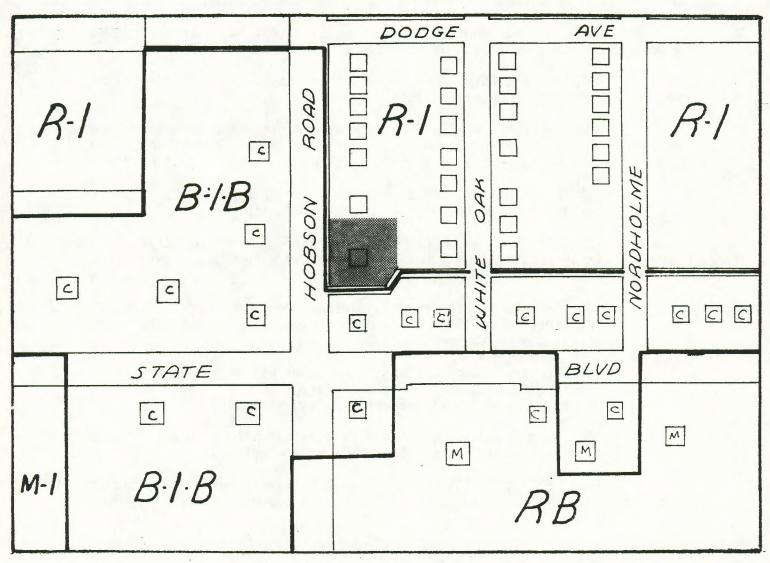
Reference or Case Number

ZONING PETITION - 78

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN R-I DISTRICT TO A BIA DISTRICT.

MAP NO. R-18

COUNCILMANIC DISTRICT NO. *2



ZONING

RI RESIDENTIAL DISTRICT

RB RESIDENTIAL DISTRICT

BIB BUSINESS DISTRICT

MI LIGHT INDUSTRIAL

LAND USE

- SINGLE FAMILY
- M MULTI-FAMILY
- COMMERCIAL



RESOLUTION OF ZONING ORDINANCE AMEMDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 10, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-07-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1984;

NOW THEREFORE, BE IT RESOLVED that the City/Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Finding's of Fact":

- (1) the grant will not be injurious to the public healty, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the Comprehensive plan adopted under the 500 series of the metropolitan development law.

 $\,$ BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1984.

Certified and signed this 13th day of August 1984.

Melvin O. Smith

pleaning O. Smurt



The City of Fort Wayne DIVISION OF LAND USE MANAGEMENT Department of Community Development & Planning

16 August 1984

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the City of Fort Wayne City-County Building One Main Street Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-84-04-07

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this 16th day of August 1984.

Melvin O. Smith

FACT SHEET

Z-84-04-07

BILL NUMBER

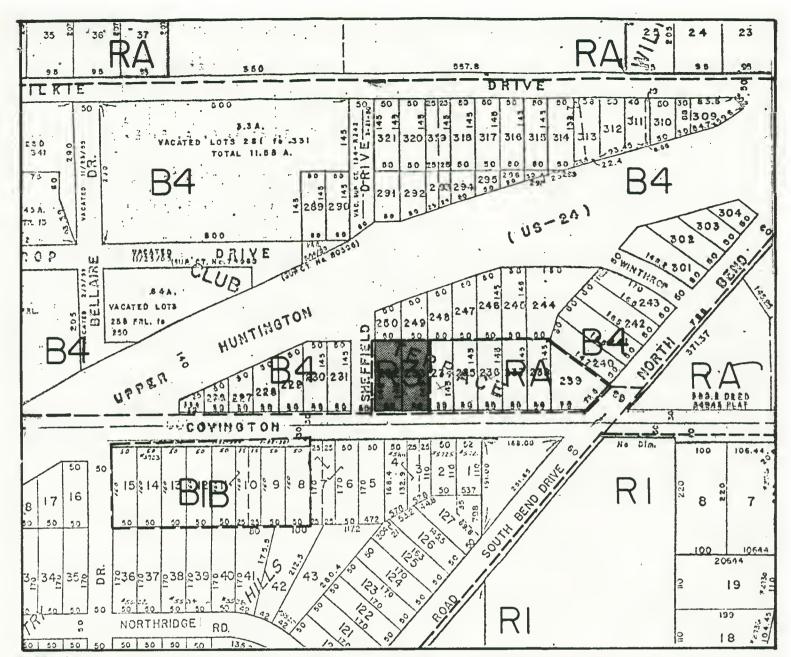
Division of Community Development & Planning

Zoning Ordinance Amendment None		
DETAILS	POSITIONS	RECOMMENDATIONS
Specific Location and/or Address	Sponsor	City Plan Commission
Northeast corner of Covington & Sheffield	Area Affected	City Wide
Reason for Project Petitioners withdrew rezoning request		Other Areas
by letter on August 2, 1984.	Applicants/	Applicant(s)
	Proponents	John W. & Jane Carlile City Department
		Other
Discussion (Including relationship to other Council actions)	Opponents	Groups or Individuals Basis of Opposition
	Staff Recommendation	For Against Reason Against
	Board or Commission Recommendation	By Against No Action Taken For with revisions to conditions (See Details column for conditions
	CITY COUNCIL ACTIONS (For Council use only)	Pass Other Pass (as Hold amended) Council Sub. Do not pass

	F	Policy or Program Change	No [Yes
	lr	perational mpact ssessment		
			pace for further d	scussion)
Project Start	Date February 2	1, 1984		
Projected Completion or Occupancy	Date August 16,	1984		
Fact Sheet Prepared by Pat Biancaniello	Date August 16,	1984		
Reviewed by	Date			
Reference or Case Number				

POLICY/PROGRAM IMPACT

DETAILS



A PETITION TO AMEND THE ZONING MAP BY RE-CLASSIFYING DESCRIBED PROPERTY FROM AN R3 TO A BIA DISTRICT.

MAP NO. E-3

7-84-04-07

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indaina, on April 10, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-04-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 16, 1984; and,

WHEREAS, a letter requesting withdrawal of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted by the Fort Wayne City Plan Commission.

Certified and signed this 16th day of August 1984.

Melvin O. Smith

President of the Common Council City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 95/84/E 96/84/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

/= -			95/84/E
(Regulatory	Resolution	No.	96/84/E

I hereby certify that I did this <u>16th</u> day of
August , 1984 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. $\frac{95/84/E}{96/84/E}$ of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

REGULATORY RESOLUTION NO95/84/E
(Adopted August 16, 1984)
WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,
WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with
regard to RENEW & EXTEND REG. RES. 66/84/E: STOP
INTERSECTION (EMERGENCY)
,
: AND,
WHEREAS, the City Traffic Engineer has, by written memorandum
dated August 14, 1984, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:
That, pursuant to the authority granted to this Board by
Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective
Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective
Indiana of 1974 to make temporary or experimental regulations
Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August Deriod of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING to
Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August Deriod of sixty (60) days thereafter, and when signs are erected cursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED: (EMERGENCY)
Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August Deriod of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS

REGULATORY RESOLUTION NO. 96/84/E
(Adopted August 16 , 1984)
WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,
WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with
regard toDELETE: 90 MINUTE PARKING 8 A.M. to 6:00 P.M.
(EMERGENCY)
: AND,
WHEREAS, the City Traffic Engineer has, by written memograndum
dated August 15, 1984, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:
That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective
August 16, 19 84, and for a period of sixty (60) days thereafter, and when signs are erected
period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:
DELETE:
90 MINUTE PARKING 8:00 A.M. to 6:00 P.M. (EMERGENCY)
Leith Street north side from Calhoun Street to the first alley west thereof

President of the Common Council City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 97/84/D

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

(Regulatory Resolution No. 97/84/D)

I hereby certify that I did this day of
August , 1984 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. $97/84/D$ of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

REGULATORY RESULUTION NO. 97/84/D
(Adopted <u>August</u> <u>21</u> , 19 <u>84</u>)
WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,
WHEREAS, Section 17-87 of said chapter delegates
to this Board authority toNO PARKING (DELEGATED)
· · · · · · · · · · · · · · · · · · ·
; and,
WHEREAS, the City Traffic Engineer has, by written
memorandum dated August 20, 1984, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA
That, pursuant to the authority delegated to this Board
by Section <u>17-87</u> of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective
August 21 , 1984 , and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:
NO PARKING (DELEGATED)
Electric Avenue east side from the south curb line of Taylor St. to 90' south thereof

Presidnet of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 98/84/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

(Regulatory Resolution	No.	98/84/E	_)
------------------------	-----	---------	----

I hereby certify that I did this <u>22nd</u> day of
August , 19 84 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. $98/84/F$ of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

REGULATORY RESOLUTION NO. 98/84/E	•
(Adopted <u>August</u> <u>22</u> , 19 84)	
•	
WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,	
WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with	
regard to RENEW & EXTEND REG. RES. 69/84/E: NO PARKING	
(EMERGENCY)	
, and	
<u> </u>	
: AND,	
WHEREAS, the City Traffic Engineer has, by written memograndum	
WHEREAS, the City Traffic Engineer has, by written memorandum dated — August 21 10 84	
WHEREAS, the City Traffic Engineer has, by written memograndum	
WHEREAS, the City Traffic Engineer has, by written memorandum dated August	
WHEREAS, the City Traffic Engineer has, by written memorandum dated August 21, 1984, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board; NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA: That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective	
WHEREAS, the City Traffic Engineer has, by written memorandum dated August 21	
WHEREAS, the City Traffic Engineer has, by written memorandum dated — August 21 , 19 84 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board; NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA: That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 22 , 19 84 , and for a period of sixty (60) days thereafter, and when signs are erected	

President of the Common Council City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 99/84/E 100/84/D

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate them into the minutes of the next Common Countil Meeting.

Respectfully submitted,

(Regulatory Resolution No. $\frac{99/84/E}{100/84/D}$)

I hereby certify that I did this <u>24th</u> day of
August , 19 84 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within 99/84/E
Regulatory Resolution No. $100/84/D$ of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

	REGULATORY R	ESOLUTION NO	99/84/E	
	(Adopted	August	24 , 19	84)
Public Sa	ort Wayne. In	7-4, Chapter 17 diana of 1974 and temcorary or ext tions; and,	uthorizes tha	Board of
WHERE Temporary	AS, a special Experimental	condition has a Regulation here	arisen justif einafter orde	ying the red, with
regard to	STOP INT	ERSECTION (EME	RGENCY)	
		•		
•				·
				: AND,
WHEREAS,	the City Traf	fic Engineer has	s, by written	memorandum
dated submitted herein add	August to this Board	1 his advice wit vritten πemorand	23	, 19 <u>84</u> ,
NOW THEREF	FORE, BE IT RE OF FORT WAYNE	ESOLVED BY THE B	BOARD OF PUBL	IC SAFETY OF
Indiana of cover spec	-4 of Chapter 1974 to make cial condition	the authority gr 17 of the Code temporary or e is, it is hereby	e of the City experimental notion ordered, eff	of Fort Wayne, regulations to fective
period of pursuant h	billath one in	22 tys thereafter, notice thereof,	and when sign that the FOL	, and for a is are erected LOWING IS
STOP INTER	RSECTION		(EMERGENCY)	
Bass Stree	et stop	for Hoagland Ave	nue	
Brandriff	Street st	cop for Hoa	gland Avenue	

REGULATORY RESOLUTION NO. 100/84/D
(Adopted <u>August</u> 24, 1984)
WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,
WHEREAS, Section 17-52 of said chapter delegates
to this Board authority toDELETE: PREFERENTIAL INTERSECTION
· (DELEGATED)
; and,
WHEREAS, the City Traffic Engineer has, by written
memorandum dated August 23, 19 84, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFET OF THE CETY OF FORT WAYNE, INDIANA
That, pursuant to the authority delegated to this Board
by Section <u>17-52</u> of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective
August 24, 1984, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:
DELETE: PREFERENTIAL INTERSECTION (DELEGATED)
Hoagland Avenue preferential at Bass Street